

## TWENTY-FIFTH DAY.

(Monday, March 9, 1931.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Hatchitt.
Adams of Harris.	Hefley.
Adams of Jasper.	Herzik.
Adamson.	Hill.
Adkins.	Hines.
Akin.	Holder.
Alsup.	Holland.
Baker.	Holloway.
Barron.	Hoskins.
Beck.	Howsley.
Bedford.	Hubbard.
Bond.	Hughes.
Bounds.	Jackson.
Bradley.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Bryant.	of Dixmit.
Burns of Walker.	Johnson of Morris.
Burns	Jones of Shelby.
of McCulloch.	Jones of Atascosa.
Carpenter.	Justiss.
Caven.	Kayton.
Claunch.	Keller.
Coltrin.	Kennedy.
Coombes.	Laird.
Cox of Lamar.	Lasseter.
Cox of Limestone.	Lee.
Cunningham.	Lemens.
Dale.	Leonard.
Daniel.	Lilley.
Davis.	Lockhart.
DeWolfe.	Long.
Donnell.	McCombs.
Dowell.	McDougald.
Duvall.	McGill.
Elliott.	McGregor.
Engelhard.	Magee.
Farmer.	Mathis.
Farrar.	Mehl.
Ferguson.	Metcalfe.
Finn.	Moffett.
Fisher.	Moore.
Forbes.	Munson.
Ford.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Ramsey.
Greathouse.	Ratliff.
Grogan.	Ray.
Hanson.	Richardson.
Hardy.	Rogers.
Harman.	Rountree.
Harrison	Sanders.
of El Paso.	Satterwhite.
Harrison	Savage.
of Waller.	Scott.

Sherrill.	Terrell
Smith of Bastrop.	of Val Verde.
Smith of Wood.	Towery.
Sparkman.	Turner.
Stephens.	Van Zandt.
Stevenson.	Vaughan.
Steward.	Wagstaff.
Strong.	Walker.
Sullivant.	Warwick.
Tarwater.	Weinert.
Terrell	West of Cameron.
of Cherokee.	Wiggs.
	Young.

Absent.

Dodd.	Westbrook.
Martin.	

Absent—Excused.

Albritton.	Pope.
Anderson.	Reader.
Boyd.	Shelton.
Dunlap.	Veatch.
Dwyer.	West of Coryell.
Morse.	Wyatt.
Murphy.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Reader for today, Tuesday and Wednesday, on motion of Mr. Cunningham.

Mr. Shelton for today, on motion of Mr. Fuchs.

Mr. Veatch for today, on motion of Mr. Farmer.

Mr. Howsley for today, on motion of Mr. Burns of Walker.

Mr. Pope for today, on motion of Mr. Steward.

Mr. Dwyer for today, on motion of Mr. Johnson of Morris.

Mr. Dunlap for today, on motion of Mr. Sparkman.

Mr. Anderson for today, on motion of Mr. Nicholson.

Mr. West of Coryell for today and tomorrow, on motion of Mr. Scott.

Mr. Jones of Atascosa for today, on motion of Mr. Cox of Limestone.

Mr. Coombes for last Saturday, on motion of Mr. Satterwhite.

The following members were granted leaves of absence on account of illness:

Mr. Albritton for today on account of illness in his family, on motion of Mr. Adkins.

Mr. Morse for today and indefinitely, on motion of Mr. Patterson.

Mr. Wyatt for today, on motion of Mr. Giles.

Mr. Wiggs for last Saturday, on motion of Mr. Cox of Lamar.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Savage:

H. B. No. 822, A bill to be entitled "An Act to amend Section 26 of Chapter 212 of the Acts of the Regular Session of the Fortieth Legislature, and declaring an emergency."

(Relating to the searching of prisoners, etc.)

Referred to Committee on Penitentiaries.

By Mr. Grogan:

H. B. No. 823, A bill to be entitled "An Act fixing the salary of the members of the commissioners courts in counties having a population of less than 19,850, according to the last available Federal census; and in which counties there have been voted road bonds in a sum exceeding two million dollars; providing the method of payment, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Cunningham:

H. B. No. 824, A bill to be entitled "An Act granting permission to J. W. Turner, a citizen of Eastland county, Texas, to sue the State of Texas for damages to his land in the year of 1930 because of improper mining of rock and caliche and placing of rocks, dirt and other refuse about and upon the premises of said J. W. Turner, on valuable land near the corporate limits of the town of Eastland, Eastland county, Texas, on the Bankhead Highway, being State Highway No. 1, thereby rendering said land valueless to the said J. W. Turner, injuring and causing same to be worthless for use, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Grogan:

H. B. No. 825, A bill to be entitled "An Act fixing the salary of county auditors in counties having a population of not less than 19,850 and not more than 19,880, according to the last available Federal census; providing for the method of payment, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Cunningham:

H. B. No. 826, A bill to be entitled "An Act granting permission to S. B. Norton, a citizen of Eastland county, Texas, to sue the State of Texas for damages to his land and premises in the years 1930 and 1931 because of improper damming up of slues and drains and improper drainage facilities by the State Highway Department on State Highway No. 1, in the town of Olden, Eastland county, Texas, causing water to flood and stand upon said premises, damaging the orchard, vineyard, yard and grounds about the home of said Norton, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hines, Mr. Dodd and Mr. Brooks:

H. B. No. 827, A bill to be entitled "An Act amending subdivisions 5 and 102 of Article 199 of the Revised Statutes of Texas, 1925, as amended, by fixing the terms of district court in Bowie, Cass and Red River counties in the Fifth and One Hundred Second Judicial Districts, respectively, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Cunningham:

H. B. No. 828, A bill to be entitled "An Act granting permission to T. L. Overby, a citizen of Eastland county, Texas, to sue the State for damages to his land in the years 1929-1930 because of the improper mining of rock and caliche from the land of said T. L. Overby and on Highway No. 67, between Carbon, Texas, and Eastland, Texas, as provided for under original agreement between T. L. Overby and the State Highway Department of Texas, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Johnson of Morris:

H. B. No. 829, A bill to be entitled "An Act requiring the clerk of each district court and of each criminal district court having jurisdiction of criminal cases to compile and keep in his office a permanent record showing the name, age, place and date of birth, nationality, name of parents, their residence, and a personal description of each defendant together with such other data and information as will tend to identify such defendant convicted and given the benefits of the suspended sentence law, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Goodman:

H. B. No. 830, A bill to be entitled "An Act providing for the erection and operation of a cement factory to belong to and be operated by the prison system for the purpose of manufacturing cement and other road materials to be used in the construction and maintenance of State highways; providing for a location board, and providing duties, provisions and requirements incident to the subject-matter; making an appropriation, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Sullivant, Mr. Van Zandt, Mr. Giles, Mr. Lilley, Mr. Hatchitt, Mr. Laird and Mr. Lemens:

H. B. No. 831, A bill to be entitled "An Act amending Numbered Subdivision, Paragraph or Section 4 of Article 1030, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

(Relating to the expenses of guards, etc., when removing a prisoner.)

Referred to Committee on Criminal Jurisprudence.

By Mr. Bond:

H. B. No. 832, A bill to be entitled "An Act to amend Chapter 3, Title 78, of the Revised Civil Statutes of the State of Texas, adopted by the Regular Session of the Thirty-ninth Legislature, by adding thereto a new article, to be known as Article 4733a, prohibiting any accident insurance company from issuing any accident insurance policy containing any provision, clause or exception from liability of the company if the injury,

disablement or death is the result of accident, or caused by accidental means, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Dwyer:

H. B. No. 833, A bill to be entitled "An Act prohibiting fire insurance companies from cancelling any fire insurance policies because of an act of arson, or attempted arson, until such act of arson, or attempted arson, is judicially determined; providing that a policy cancelled contrary to this act shall remain a valid contract, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Dale:

H. B. No. 834, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

(Relating to compensation of tax assessors.)

Referred to Committee on State Affairs.

By Mr. Donnell:

H. B. No. 835, A bill to be entitled "An Act relating to depositors' guaranty fund by calling attention to the fact that certain sums of money have been on deposit for several years with the State Treasury and on deposit with certain banks over the State, which funds rightfully belong to depositors of the defunct banks named herein and to member banks who had placed in the hands of the State Banking Commissioner the aforementioned funds as a guaranty fund for the protection of their depositors, and providing for the appointment of a legislative committee of five of the Forty-second Legislature, etc., and declaring an emergency."

Referred to Committee on Banks and Banking."

By Mr. Ratliff:

H. B. No. 836, A bill to be entitled "An Act to amend Section 1 and Section 3 of Chapter 268, of the General Laws of the Fortieth Legislature, Regular Session, as follows: Amend said Section 1 to provide for a license for non-residents of Texas and aliens who shall fish in the waters of the

State of Texas, and to provide for a license for residents of the State of Texas who shall fish with artificial lures of any kind in the waters of this State; and amend said Section 3 to provide penalties for the failure of persons to procure a license to fish where the same is required under this act."

Referred to Committee on Game and Fisheries.

#### BILLS RE-REFERRED.

On motion of Mr. Johnson of Dimmit, House bills Nos. 708 and 740 were withdrawn from the Committee on Judiciary and referred to the Committee on Criminal Jurisprudence.

On motion of Mr. Bradley, House bills Nos. 706 and 789 were withdrawn from the Committee on State Affairs and referred to the Committee on Criminal Jurisprudence.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Holder, Senate bill No. 232 was ordered not printed.

#### MOTIONS TO PRINT.

Mr. Farmer moved that House bill No. 655, reported adversely with a minority favorable report, be printed.

On motion of Mr. Keller, the motion to print was tabled.

Mr. Hanson moved that House joint resolution No. 29, reported adversely with a minority favorable report, be printed.

The motion was lost.

#### COMMUNICATION FROM STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

The Speaker laid before the House and had read the following communication:

State Department of Education,

Austin, Texas, March 3, 1931.

Hon. Ross Sterling, Governor of Texas; Hon. Edgar E. Witt, President of the Senate; Hon. Fred Minor, Speaker of the House of Representatives.

Gentlemen: I deem it to be my duty, as State Superintendent of Public Instruction, to direct your attention and the attention of the members of the Forty-second Legislature to the following facts relative to the per capita apportionment of the State available school fund:

The Fortieth Legislature, by placing a rider on the appropriation bill limited the per capita apportionment to \$15 for each year of the biennium 1927-1929. Since the income justified a larger apportionment, there was a surplus on September 1, 1929, amounting to \$3,547,555.

In August, 1929, the Automatic Tax Board reduced the State ad valorem school tax from 35 cents to 31 cents. The per capita for 1929-1930 was fixed by the State Board of Education at \$17.50. On September 1, 1930, the balance to the credit of the available school fund was \$1,929,284.

The Automatic Tax Board in August, 1930, fixed the ad valorem school tax rate at 35 cents and the State Board of Education set the apportionment at \$17.50 based on an estimated scholastic population of 1,500,000.

The estimated resources were as follows:

Balance, Sept. 1, 1930....	\$ 1,929,284
Collections from all sources other than ad valorem tax .....	14,008,557
Ad valorem tax at 35 cents on \$4,280,498,578 less delinquency and cost of collection.....	11,985,396

Total resources.....	\$27,923,237
Less cost of text books....	1,750,000

Total to be apportioned \$26,173,237

On estimate of 1,500,000 scholastics equals \$17.50 per capital.

The facts have since developed that the total census was 1,563,595 and, therefore, the total amount pledged was \$27,362,912 which exceeds the amount estimated to be available as of August, 1930, by \$1,189,675. In other words, instead of having a balance on September 1, 1931, there will be a probable deficit of \$1,189,675. This deficit may be increased by \$400,000 to pay for text books, as the manager of the text book division estimated the cost of books for 1930-1931 at \$2,500,000 owing to putting into effect a large number of new contracts.

Estimating the net income for 1931-1932 to be the same as the estimate for 1930-1931, we have \$25,993,953 from which deduct \$1,189,675 deficit September 1, 1931, and \$2,000,000 for text books leaves \$22,804,278 to be apportioned for 1931-1932. The nor-

mal increase of scholastic census should show a total of 1,600,000, and this would permit a scholastic apportionment of \$14.25. This would be disastrous to our public schools.

In my opinion, in order to maintain the per capita at \$17.50, as was intended by the Forty-first Legislature, it will require an addition of \$5,000,000 per year to the estimated income of the State available school fund. This may be obtained by appropriation from the general revenue or from new sources of income arising from one-fourth of the State occupation taxes.

Respectfully submitted,  
S. M. N. MARRS,  
State Superintendent.

#### COMMUNICATION FROM DEAN OF THE SCHOOL OF LAW.

The Speaker laid before the House and had read the following communication:

The University of Texas,  
School of Law.

Austin, Texas, March 6, 1931.

Hon. Fred Minor, Speaker, and Members of the House of Representatives, Austin, Texas.

Gentlemen and Ladies: Professor H. Oliphant of the Law School of Johns Hopkins University will deliver five lectures on law topics to the students and faculty of the University and to the general public, beginning next Monday evening, March 9th, at 8 o'clock in Garrison Hall Auditorium. The second lecture will be delivered in the Auditorium of the Law Building Tuesday evening at 8 o'clock. The third lecture will be in the Auditorium of the Law Building Wednesday evening at 8 o'clock. The fourth lecture will be delivered in the Auditorium of the Law Building Thursday afternoon at 5 o'clock. The fifth lecture will be given in Garrison Hall Auditorium Thursday evening at 8 o'clock.

Professor Oliphant is one of the best law teachers in the United States and I am sure that all members of the House of Representatives of the State of Texas will enjoy Professor Oliphant's lectures. I wish to extend to each of you a cordial invitation to attend Professor Oliphant's lectures.

Yours very sincerely,  
IRA P. HILDEBRAND,  
Dean of the School of Law, University of Texas.

#### RELATIVE TO LOCATING CONFECTIONERY IN STATE LAND OFFICE BUILDING.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 35, Relative to erecting confectionery in Land Office Building, the resolution having been read second time on last Saturday, with motion by Mr. Holder to refer the resolution to the Committee on Public Lands and Buildings, pending.

On motion of Mr. Kayton, the motion to refer the resolution was tabled.

Mr. Holland moved the previous question on the resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—78.

Adams of Harris.	Hubbard.
Adamson.	Jackson.
Adkins.	Johnson
Alsup.	of Dallam.
Barron.	Johnson of Morris.
Bedford.	Jones of Shelby.
Bond.	Justiss.
Bounds.	Kennedy.
Brice.	Laird.
Bryant.	Lee.
Burns	Lemens.
of McCulloch.	Leonard.
Burns of Walker.	Lilley.
Carpenter.	Lockhart.
Caven.	McGill.
Claunch.	Magee.
Cox of Lamar.	Mathis.
Cox of Limestone.	Metcalfe.
Dale.	Moffett.
Daniel.	Munson.
DeWolfe.	Olsen.
Donnell.	Ramsey.
Dowell.	Ratliff.
Elliott.	Ray.
Farrar.	Rogers.
Fisher.	Satterwhite.
Forbes.	Smith of Bastrop.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Gilbert.	Stevenson.
Giles.	Strong.
Goodman.	Sullivant.
Grogan.	Terrell
Herzik.	of Cherokee.
Hill.	Terrell
Hines.	of Val Verde.
Holland.	Towery.
Holloway.	Turner.
Hoskins.	Van Zandt.

Vaughan.  
Walker.

Weinert.  
Young.

Nays—34.

Akin.  
Baker.  
Beck.  
Brooks.  
Coombes.  
Duvall.  
Engelhard.  
Farmer.  
Ferguson.  
Greathouse.  
Hatchitt.  
Hardy.  
Harrison  
of Waller.  
Hefley.  
Holder.  
Howsley.  
Hughes.

Kayton.  
Keller.  
McCombs.  
McGregor.  
Mehl.  
Moore.  
Nicholson.  
Patterson.  
Richardson.  
Sanders.  
Savage.  
Scott.  
Stephens.  
Steward.  
Tarwater.  
Wagstaff.  
Warwick.

Present—Not Voting.

Hanson.  
McDougald.

O'Quinn.  
Wiggs.

Absent.

Adams of Jasper.  
Bradley.  
Coltrin.  
Cunningham.  
Davis.  
Dodd.  
Finn.  
Graves.  
Harman.  
Harrison  
of El Paso.

Johnson  
of Dimmit.  
Lasseter.  
Long.  
Martin.  
Petsch.  
Rountree.  
Sherrill.  
West of Cameron.  
Westbrook.

Absent—Excused.

Albritton.  
Anderson.  
Boyd.  
Dunlap.  
Dwyer.  
Jones of Atascosa.  
Morse.

Murphy.  
Pope.  
Reader.  
Shelton.  
Veatch.  
West of Coryell.  
Wyatt.

RELATIVE TO CERTAIN MONEYS  
IN STATE TREASURY.

Mr. Donnell offered the following resolution:

H. C. R. No. 36, Relative to certain moneys in Treasury Department.

Whereas, The State Treasurer has in the vaults of the Treasury mutilated and foreign moneys, carried on the daily balance sheet of the State Treasurer as vault cash, the face value of which totals \$841.06; and

Whereas, These moneys cannot be used in payment of current bills or vouchers; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Treasurer be and is hereby authorized to exchange the mutilated and foreign moneys herein mentioned for legal tender money on the best terms possible.

The resolution was read second time and was adopted.

HOUSE BILL NO. 671 ON SECOND  
READING.

On motion of Mr. Harman (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 671, A bill to be entitled "An Act to prohibit the sale or offering for sale or the buying of any bass, crappie, perch, or channel or opalopsis cat, or any other fish taken from the waters of Lake Waco or the Bosque Rivers and their tributaries in the counties of McLennan, Bosque, Hamilton and Erath, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 671 ON THIRD  
READING.

Mr. Harman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 671 be place on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Adams of Harris.	Dale.
Adamson.	Daniel.
Adkins.	DeWolfe.
Akin.	Donnell.
Alsup.	Dowell.
Baker.	Duvall.
Beck.	Elliott.
Bounds.	Engelhard.
Brice.	Farmer.
Brooks.	Farrar.
Bryant.	Ferguson.
Burns of Walker.	Fisher.
Carpenter.	Forbes.
Caven.	Ford.
Claunch.	Fuchs.
Coombes.	Giles.
Cox of Lamar.	Goodman.
Cunningham.	Greathouse.

Grogan.	Metcalfe.
Hardy.	Moffett.
Harman.	Moore.
Harrison	Munson.
of El Paso.	O'Quinn.
Harrison	Patterson.
of Waller.	Petsch.
Hatchitt.	Ramsey.
Hefley.	Ratliff.
Herzik.	Ray.
Hill.	Richardson.
Holder.	Rogers.
Holland.	Sanders.
Holloway.	Satterwhite.
Hoskins.	Savage.
Hughes.	Scott.
Jackson.	Sherrill.
Johnson	Smith of Bastrop.
of Dallam.	Smith of Wood.
Johnson	Sparkman.
of Dimmit.	Stephens.
Johnson of Morris.	Steward.
Jones of Shelby.	Strong.
Justiss.	Sullivant.
Keller.	Tarwater.
Kennedy.	Terrell
Lasseter.	of Cherokee.
Leonard.	Terrell
Lilley.	of Val Verde.
Lockhart.	Towery.
McCombs.	Van Zandt.
McDougald.	Vaughan.
McGill.	Wagstaff.
McGregor.	Walker.
Magee.	Warwick.
Mathis.	Wiggs.
Mehl.	Young.

## Present—Not Voting.

Hanson.

## Absent.

Adams of Jasper.	Hubbard.
Barron.	Kayton.
Bedford.	Laird.
Bond.	Lee.
Bradley.	Lemens.
Burns	Long.
of McCulloch.	Martin.
Coltrin.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Rountree.
Dodd.	Stevenson.
Finn.	Turner.
Gilbert.	Weinert.
Graves.	West of Cameron.
Hines.	Westbrook.
Howsley.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

The Speaker then laid House bill No. 671 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—105.

Adams of Harris.	Johnson
Adams of Jasper.	of Dallam.
Adamson.	Johnson of Morris.
Adkins.	Jones of Shelby.
Akin.	Justiss.
Baker.	Keller.
Barron.	Kennedy.
Beck.	Lee.
Bounds.	Leonard.
Brice.	Lilley.
Brooks.	Lockhart.
Bryant.	McCombs.
Carpenter.	McDougald.
Claunch.	McGill.
Coltrin.	Magee.
Coombes.	Mathis.
Cox of Lamar.	Mehl.
Cox of Limestone.	Metcalfe.
Cunningham.	Moffett.
Dale.	Morse.
Daniel.	Munson.
DeWolfe.	O'Quinn.
Donnell.	Patterson.
Dowell.	Petsch.
Duvall.	Ramsey.
Elliott.	Ratliff.
Engelhard.	Ray.
Farmer.	Richardson.
Farrar.	Rogers.
Ferguson.	Rountree.
Fisher.	Sanders.
Forbes.	Satterwhite.
Ford.	Savage.
Fuchs.	Scott.
Giles.	Sherrill.
Goodman.	Smith of Bastrop.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hanson.	Stephens.
Hardy.	Steward.
Harman.	Strong.
Harrison	Sullivant.
of El Paso.	Tarwater.
Harrison	Terrell
of Waller.	of Cherokee.
Hatchitt.	Terrell
Hefley.	of Val Verde.
Herzik.	Towery.
Hill.	Van Zandt.
Holder.	Vaughan.
Holland.	Wagstaff.
Holloway.	Walker.
Hoskins.	Warwick.
Hughes.	Weinert.
Jackson.	Wiggs.
	Young.

## Nays—1.

Alsup.

Absent.		Yeas—114.	
Bedford.	Johnson	Mr. Speaker.	Johnson
Bond.	of Dimmit.	Adams of Harris.	of Dallam.
Bradley.	Kayton.	Adams of Jasper.	Johnson
Burns of Walker.	Laird.	Adamson.	of Dimmit.
Burns	Lasseter.	Adkins.	Johnson of Morris.
of McCulloch.	Lemens.	Akin.	Jones of Shelby.
Caven.	Long.	Alsup.	Justiss.
Davis.	McGregor.	Baker.	Kayton.
Dodd.	Martin.	Barron.	Keller.
Finn.	Nicholson.	Beck.	Kennedy.
Gilbert.	Olsen.	Bounds.	Laird.
Graves.	Stevenson.	Brice.	Lasseter.
Hines.	Turner.	Brooks.	Lee.
Howsley.	West of Cameron.	Bryant.	Lemens.
Hubbard.	Westbrook.	Burns of Walker.	Leonard.
		Burns	Lilley.
		of McCulloch.	Lockhart.
		Carpenter.	McCombs.
		Claunch.	McDougald.
		Coltrin.	McGill.
		Coombes.	Magee.
		Cox of Lamar.	Mathis.
		Cunningham.	Mehl.
		Dale.	Metcalfe.
		Daniel.	Moffett.
		DeWolfe.	Moore.
		Donnell.	Munson.
		Dowell.	Olsen.
		Duvall.	O'Quinn.
		Elliott.	Patterson.
		Engelhard.	Petsch.
		Farmer.	Ramsey.
		Farrar.	Ratliff.
		Fisher.	Ray.
		Forbes.	Richardson.
		Ford.	Rogers.
		Fuchs.	Rountree.
		Giles.	Sanders.
		Goodman.	Satterwhite.
		Graves.	Scott.
		Greathouse.	Smith of Wood.
		Grogan.	Sparkman.
		Hanson.	Stephens.
		Hardy.	Stevenson.
		Harman.	Steward.
		Harrison	Strong.
		of El Paso.	Sullivant.
		Harrison	Tarwater.
		of Waller.	Terrell
		Hatchitt.	of Cherokee.
		Hefley.	Terrell
		Herzik.	of Val Verde.
		Hill.	Towery.
		Holland.	Van Zandt.
		Holloway.	Vaughan.
		Hoskins.	Wagstaff.
		Howsley.	Walker.
		Hubbard.	Warwick.
		Hughes.	Wiggs.
		Jackson.	Young.
Absent—Excused.		Absent.	
Albritton.	Murphy.	Bedford.	Bradley.
Anderson.	Pope.	Bond.	Caven.
Boyd.	Reader.		
Dunlap.	Shelton.		
Dwyer.	Veatch.		
Jones of Atascosa.	West of Coryell.		
Moore.	Wyatt.		

#### HOUSE JOINT RESOLUTION NO. 24 ON SECOND READING.

On motion of Mr. Johnson of Dimmit (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading,

H. J. R. No. 24, Proposing to amend Section 13, Article 8, of the Constitution of the State of Texas, so as to provide for the right to redeem land sold at tax sale within two years from the date of the filing for record of the purchaser's deed for less than double the amount paid for the land, that is to say, upon payment within the first year of the redemption period of the amount of money paid for the land, including \$1 tax deed recording fee plus 25 per cent, and within the last year of the redemption period upon the payment of the amount of money paid for the land, including \$1 tax deed recording fee plus 50 per cent.

The Speaker laid the resolution before the House, and it was read second time.

Mr. Johnson of Dimmit offered the following amendment to the resolution:

Amend House joint resolution No. 24 by adding, in lines 35 and 40, after the word "plus," the following words in each line, "not exceeding."

The amendment was adopted.

House joint resolution No. 24 was then passed by the following vote:

Bedford. Bradley.  
Bond. Caven.



Cox of Limestone.	Martin.
Davis.	Nicholson.
Dodd.	Savage.
Ferguson.	Sherrill.
Finn.	Smith of Bastrop.
Gilbert.	Turner.
Hines.	Weinert.
Holder.	West of Cameron.
Long.	Westbrook.
McGregor.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

## HOUSE BILL NO. 228 ON SECOND READING.

On motion of Mr. Towery (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 228, A bill to be entitled "An Act to repeal Articles 7335 and 7334 of the Revised Civil Statutes of 1925, Chapter 8, of Acts of the Forty-first Legislature, Fourth and Fifth Called Sessions, page 9, all relating to collection of delinquent taxes and making abstracts and maps, plat book system, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 228 ON THIRD READING.

Mr. Towery moved that the constitution rule requiring bills to be read on three several days be suspended and that House bill No. 228 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Adams of Jasper.	Carpenter.
Adamson.	Caven.
Adkins.	Claunch.
Alsup.	Coltrin.
Baker.	Coombes.
Barron.	Cox of Lamar.
Beck.	Cunningham.
Bounds.	Dale.
Brooks.	Daniel.
Bryant.	DeWolfe.
Burns of Walker.	Donnell.
Burns	Dowell.
of McCulloch.	Duvall.

Elliott.	Lockhart.
Engelhard.	McDougald.
Farmer.	McGill.
Farrar.	Magee.
Finn.	Mathis.
Fisher.	Mehl.
Forbes.	Metcalf.
Ford.	Moffett.
Fuchs.	Moore.
Giles.	Munson.
Greathouse.	Olsen.
Grogan.	O'Quinn.
Hanson.	Patterson.
Hardy.	Petsch.
Harrison	Ramsey.
of El Paso.	Ratliff.
Harrison	Richardson.
of Waller.	Rogers.
Hatchitt.	Rountree.
Hefley.	Sanders.
Herzik.	Satterwhite.
Hill.	Savage.
Holland.	Scott.
Holloway.	Sherrill.
Hoskins.	Smith of Bastrop.
Howsley.	Smith of Wood.
Hubbard.	Sparkman.
Hughes.	Stephens.
Jackson.	Strong.
Johnson	Sullivant.
of Dallam.	Tarwater.
Johnson of Morris.	Terrell
Jones of Shelby.	of Cherokee.
Justiss.	Towery.
Kayton.	Van Zandt.
Keller.	Vaughan.
Laird.	Walker.
Lasseter.	Warwick.
Lee.	Weinert.
Lemens.	Wiggs.
Leonard.	Young.
Lilley.	

Nays—5.

Adams of Harris.	McCombs.
Harman.	Steward.
Kennedy.	

Present—Not Voting.

Brice.	Ray.
Goodman.	

Absent.

Akin.	Johnson
Bedford.	of Dimmit.
Bond.	Long.
Bradley.	McGregor.
Cox of Limestone.	Martin.
Davis.	Nicholson.
Dodd.	Stevenson.
Ferguson.	Terrell
Gilbert.	of Val Verde.
Graves.	Turner.
Hines.	Wagstaff.
Holder.	West of Cameron.
	Westbrook.

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

The Speaker then laid House bill No. 228 before the House on its third reading and final passage.

The bill was read third time.

On motion of Mr. Towery, by unanimous consent, further consideration of the bill was postponed until 3:30 o'clock p. m. today.

## HOUSE BILL NO. 255 ON SECOND READING.

On motion of Mr. Holland (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 255, A bill to be entitled "An Act to amend Article 698 of the Code of Criminal Procedure of the State of Texas; providing that the proper judgment be entered on verdicts; providing that in misdemeanor cases where the verdict or plea is guilty and the punishment is by fine only, the court or judge may defer judgment; providing judgment; providing for recognizance or bail for the defendant, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 255 ON THIRD READING.

Mr. Holland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 255 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—100.

Adams of Harris.	Bounds.
Adams of Jasper.	Brice.
Adamson.	Brooks.
Adkins.	Bryant.
Alsup.	Carpenter.
Baker.	Caven.
Barron.	Claunch.
Bedford.	Coltrin.

Coombes.	Laird.
Cox of Lamar.	Lasseter.
Cox of Limestone.	Lee.
Cunningham.	Lilley.
Dale.	Lockhart.
Daniel.	McCombs.
Donnell.	McGill.
Duvall.	Mathis.
Elliott.	Mehl.
Engelhard.	Metcalfe.
Farmer.	Moffett.
Farrar.	Moore.
Ferguson.	Munson.
Finn.	Olsen.
Fisher.	O'Quinn.
Forbes.	Patterson.
Ford.	Petsch.
Fuchs.	Ramsey.
Giles.	Ratliff.
Goodman.	Ray.
Grogan.	Richardson.
Hanson.	Rogers.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.
Harrison	Scott.
of Waller.	Sherrill.
Hefley.	Smith of Bastrop.
Herzik.	Smith of Wood.
Hill.	Sparkman.
Holder.	Steward.
Holland.	Strong.
Holloway.	Sullivan.
Hoskins.	Tarwater.
Howsley.	Terrell
Hughes.	of Cherokee.
Jackson.	Towery.
Johnson	Van Zandt.
of Dallam.	Vaughan.
Johnson of Morris.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Warwick.
Keller.	Weinert.
Kennedy.	Young.

## Nays—6.

Akin.	Greathouse.
Burns	Lemens.
of McCulloch.	Wiggs.
Burns of Walker.	

## Present—Not Voting.

Davis.

## Absent.

Beck.	Hubbard.
Bond.	Johnson
Bradley.	of Dimmit.
DeWolfe.	Justiss.
Dodd.	Leonard.
Dowell.	Long.
Gilbert.	McDougald.
Graves.	Magee.
Hardy.	McGregor.
Hatchitt.	Martin.
Hines.	Nicholson.

Rountree.	Turner.
Stephens.	West of Cameron.
Stevenson.	Westbrook.
Terrell of Val Verde.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

The Speaker then laid House bill No. 255 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101.

Adams of Harris.	Hill.
Adams of Jasper.	Holder.
Adamson.	Holland.
Adkins.	Holloway.
Alsup.	Hoskins.
Baker.	Howsley.
Barron.	Hughes.
Bedford.	Jackson.
Bond.	Johnson
Bounds.	of Dallam.
Brice.	Johnson of Morris.
Brooks.	Jones of Shelby.
Bryant.	Justiss.
Carpenter.	Kayton.
Caven.	Keller.
Claunch.	Kennedy.
Coltrin.	Laird.
Coombes.	Lee.
Cox of Lamar.	Lilley.
Cox of Limestone.	Lockhart.
Dale.	McCombs.
Daniel.	McDougald.
Donnell.	McGill.
Elliott.	McGregor.
Farmer.	Magee.
Farrar.	Mathis.
Ferguson.	Mehl.
Finn.	Metcalfe.
Fisher.	Moffett.
Forbes.	Moore.
Ford.	Munson.
Fuchs.	O'Quinn.
Giles.	Petsch.
Goodman.	Ramsey.
Graves.	Ratliff.
Greathouse.	Ray.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Sanders.
Harman.	Satterwhite.
Harrison	Savage.
of El Paso.	Scott.
Hefley.	Sherrill.
Herzik.	Smith of Bastrop.

Smith of Wood.	Towery.
Sparkman.	Van Zandt.
Steward.	Vaughan.
Strong.	Wagstaff.
Sullivant.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Cherokee.	Young.

## Nays—5.

Akin.	Burns of Walker.
Burns	Lemens.
of McCulloch.	Wiggs.

## Absent.

Beck.	Lasseter.
Bradley.	Leonard.
Cunningham.	Long.
Davis.	Martin.
DeWolfe.	Nicholson.
Dodd.	Olsen.
Dowell.	Patterson.
Duvall.	Rountree.
Engelhard.	Stephens.
Gilbert.	Stevenson.
Harrison	Terrell
of Waller.	of Val Verde.
Hatchitt.	Turner.
Hines.	West of Cameron.
Hubbard.	Westbrook.
Johnson	
of Dimmit.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

## HOUSE BILL NO. 229 ON SECOND READING.

On motion of Mr. Justiss (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 229, A bill to be entitled "An Act to amend Article 7064, Revised Civil Statutes of the State of Texas of 1925, so as to include in the provisions thereof the non-resident mutual assessment life, health and accident insurance companies now transacting business in this State, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 229 ON THIRD READING.

Mr. Justiss moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 229 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112.

Adams of Harris.	Hoskins.
Adams of Jasper.	Howsley.
Adamson.	Hubbard.
Adkins.	Hughes.
Akin.	Jackson.
Alsup.	Johnson of Morris.
Baker.	Jones of Shelby.
Barron.	Justiss.
Beck.	Kennedy.
Bond.	Lasseter.
Bounds.	Lee.
Brooks.	Lemens.
Bryant.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Burns of Walker.	Long.
Carpenter.	McCombs.
Claunch.	McGill.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Mehl.
Cox of Limestone.	Metcalf.
Cunningham.	Moffett.
Dale.	Moore.
Daniel.	Munson.
DeWolfe.	Olsen.
Donnell.	O'Quinn.
Dowell.	Patterson.
Duvall.	Petsch.
Elliott.	Ramsey.
Engelhard.	Ratliff.
Farmer.	Ray.
Farrar.	Richardson.
Ferguson.	Rogers.
Finn.	Rountree.
Fisher.	Sanders.
Forbes.	Satterwhite.
Ford.	Savage.
Gilbert.	Scott.
Goodman.	Sherrill.
Graves.	Smith of Bastrop.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hardy.	Stephens.
Harman.	Stevenson.
Harrison	Steward.
of Waller.	Strong.
Hatchitt.	Sullivant.
Hefley.	Terrell
Herzik.	of Cherokee.
Hill.	Terrell
Holder.	of Val Verde.
Holland.	Towery.
Holloway.	Turner.

Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.

Warwick.  
Weinert.  
West of Cameron.  
Young.

Present—Not Voting.

Tarwater.

Absent.

Bedford.	Johnson
Bradley.	of Dallam.
Brice.	Johnson
Caven.	of Dimmit.
Davis.	Kayton.
Dodd.	Keller.
Fuchs.	Laird.
Giles.	McDougald.
Hanson.	Martin.
Harrison	Mathis.
of El Paso.	Nicholson.
Hines.	Westbrook.
	Wiggs.

Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

The Speaker then laid House bill No. 229 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Adams of Harris.	Donnell.
Adamson.	Dowell.
Adkins.	Elliott.
Akin.	Engelhard.
Alsup.	Farmer.
Baker.	Farrar.
Barron.	Ferguson.
Beck.	Finn.
Bond.	Fisher.
Bounds.	Forbes.
Brice.	Ford.
Brooks.	Gilbert.
Bryant.	Giles.
Burns of Walker.	Goodman
Burns	Graves.
of McCulloch.	Greathouse.
Carpenter.	Grogan.
Claunch.	Hanson.
Coltrin.	Hardy.
Coombes.	Harrison
Cox of Lamar.	of Waller.
Cox of Limestone.	Hatchitt.
Cunningham.	Hefley.
Dale.	Herzik.
Daniel.	Hill.
Davis.	Holder.

Holland.	Ratliff.
Holloway.	Ray.
Hoskins.	Richardson.
Howsley.	Rogers.
Hubbard.	Sanders.
Hughes.	Satterwhite.
Jackson.	Savage.
Johnson of Morris.	Scott.
Jones of Shelby.	Sherrill.
Justiss.	Smith of Bastrop.
Kennedy.	Smith of Wood.
Lasseter.	Sparkman.
Lee.	Stephens.
Lemens.	Steward.
Leonard.	Strong.
Lilley.	Sullivant.
Lockhart.	Terrell
Long.	of Cherokee.
McCombs.	Terrell
McGill.	of Val Verde.
McGregor.	Turner.
Magee.	Van Zandt.
Mathis.	Vaughan.
Mehl.	Wagstaff.
Moffett.	Walker.
Munson.	Warwick.
Olsen.	Weinert.
O'Quinn.	West of Cameron.
Petsch.	Young.

## Present—Not Voting.

Adams of Jasper. Tarwater.

## Absent.

Bedford.	Kayton.
Bradley.	Keller.
Caven.	Laird.
DeWolfe.	McDougald.
Dodd.	Martin.
Duvall.	Metcalf.
Fuchs.	Moore.
Harman.	Nicholson.
Harrison	Patterson.
of El Paso.	Ramsey.
Hines.	Rountree.
Johnson	Stevenson.
of Dallam.	Towery.
Johnson	Westbrook.
of Dimmit.	Wiggs.

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

## HOUSE BILL NO. 139 ON SECOND READING.

On motion of Mr. McGregor, the regular order of business was suspended to take up and have placed on

its second reading and passage to engrossment,

H. B. No. 139, A bill to be entitled "An Act providing that the tax collector of Travis county, Texas, shall hereafter upon the city of Austin complying with the terms of this act pay over to the city of Austin all State taxes except certain special constitutional taxes collected within the corporate limits of the city of Austin; providing that said taxes when so delivered to the city of Austin shall be the property of the city of Austin, providing for receipts therefor, providing that a compliance with this act by the collector shall relieve him of any civil or criminal liability imposed by any other statute in conflict herewith, etc., and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. McGregor offered the following amendment to the bill:

Amend House bill No. 139 by inserting after the word "light," in subdivision 4 of Section 6, on page 3 of said bill, the word "power," and by striking out the last sentence in said subdivision 4 reading as follows: "Also electricity on the operation of necessary fans used in said building and institution."

Question—Shall the amendment be adopted?

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 70, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas, in and to certain abutting property known as the Texas City or Government Dike, to the city of Texas City in Galveston county, Texas, and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act to amend Section 1 of Chapter 90, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act to amend Article 273 of the Code of Criminal Procedure, so as to allow the execution of a criminal bail bond by the sureties signing such bond, either in person or through an agent or attorney-in-fact, and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act creating a special road law for Henderson county, Texas, requiring surety bonds of road overseers, containing provisions that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation, and declaring an emergency."

S. B. No. 509, A bill to be entitled "An Act to amend Section 12, Chapter 67, Acts of the Fifth Called Session of the Forty-first Legislature, being House bill No. 10 of said Session, by providing that certain appropriations made therein may be used for support and maintenance and miscellaneous and contingent expenses for the operation of the Texas prison system for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

S. B. No. 372, A bill to be entitled "An Act to amend Article 4736, Revised Civil Statutes of Texas, providing that attorneys' fees recoverable for the prosecution and collection of unpaid losses under life and accident, health and accident and life, health and accident insurance policies shall be taxable as costs in suits filed thereon; and that in arriving at such reasonable attorneys' fees, the court shall consider benefits to accrue on such policies on account of such suit, and declaring an emergency."

S. B. No. 500, A bill to be entitled "An Act prohibiting any person to place, set, use, drag or have in his possession any seine, net or other device for catching fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line, or cast net or minnow seine of not more than twenty feet in length for catching bait within waters between Padre Island and the mainland in Kleberg and Kennedy counties and on back bays and inlets and that part of Laguna Madre within said counties; and providing for a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) on first conviction, and not less than one hundred dollars

(\$100) nor more than two hundred dollars (\$200) on subsequent convictions and cancellation of fisherman's license or dealer's license, or both, for violation of this act; and further providing for the seizure by the Game, Fish and Oyster Commissioner of Texas, or his deputy, of nets, seines or other tackle as evidence, and declaring an emergency."

H. B. No. 703, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employes for the year 1930-1931; specifying the rate of interest at 8 per cent; limiting the amount of warrants to be issued; giving such warrants preference over warrants issued for purposes other than payment of salaries, and declaring an emergency."

Has concurred in House amendments to Senate bill No. 16 by viva voce vote.

Respectfully,  
JNO. B. DuPRIEST,  
Assistant Secretary of the Senate.

#### RECESS.

On motion of Mr. Hardy, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 139 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 139, to remit certain taxes to the city of Austin, the bill having been read second time today, with amendment by Mr. McGregor, pending.

Mr. DeWolfe offered the following amendment to the bill:

Amend House bill No. 139, page 1, by striking out line 25.

Mr. Burns of McCulloch moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. DeWolfe, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—66.

Adams of Jasper.	Hughes.
Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Baker.	Kennedy.
Barron.	Laird.
Bond.	Lilley.
Brice.	Lockhart.
Brooks.	McGill.
Burns	Metcalfe.
of McCulloch.	Moffett.
Claunch.	Moore.
Coombes.	Munson.
Cox of Limestone.	Olsen.
Cunningham.	O'Quinn.
Daniel.	Patterson.
DeWolfe.	Petsch.
Donnell.	Ratliff.
Duvall.	Rogers.
Farmer.	Rountree.
Farrar.	Scott.
Fisher.	Sherrill.
Forbes.	Sparkman.
Ford.	Stephens.
Fuchs.	Strong.
Graves.	Tarwater.
Greathouse.	Terrell
Grogan.	of Cherokee.
Hanson.	Terrell
Hardy.	of Val Verde.
Harman.	Vaughan.
Hill.	Wagstaff.
Hines.	Warwick.
Holloway.	Wiggs.
Howsley.	Young.

## Nays—44.

Alsup.	Lee.
Beck.	Leonard.
Bounds.	Long.
Bryant.	McCombs.
Burns of Walker.	McDougald.
Carpenter.	McGregor.
Caven.	Magee.
Coltrin.	Mathis.
Cox of Lamar.	Ramsey.
Dowell.	Ray.
Elliott.	Richardson.
Engelhard.	Sanders.
Ferguson.	Satterwhite.
Giles.	Savage.
Hatchitt.	Smith of Bastrop.
Herzik.	Stevenson.
Holder.	Steward.
Holland.	Towery.
Jackson.	Turner.
Johnson	Van Zandt.
of Dallam.	Walker.
Jones of Shelby.	Weinert.
Kayton.	

## Present—Not Voting.

Hefley.	Lasseter.
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## Absent.

Adams of Harris.	Hoskins.
Bedford.	Hubbard.
Bradley.	Justiss.
Dale.	Keller.
Davis.	Lemens.
Dodd.	Martin.
Finn.	Mehl.
Gilbert.	Nicholson.
Goodman.	Smith of Wood.
Harrison	Sullivant.
of El Paso.	West of Cameron.
Harrison	Westbrook.
of Waller.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

Mr. DeWolfe moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—83.

Adams of Jasper.	Ford.
Adamson.	Fuchs.
Adkins.	Goodman.
Akin.	Graves.
Alsup.	Greathouse.
Baker.	Grogan.
Barron.	Hanson.
Bond.	Hardy.
Brice.	Harman.
Brooks.	Harrison
Bryant.	of Waller.
Burns	Hill.
of McCulloch.	Hines.
Burns of Walker.	Holloway.
Caven.	Hoskins.
Claunch.	Howsley.
Coltrin.	Hughes.
Coombes.	Johnson
Cox of Lamar.	of Dallam.
Cox of Limestone.	Johnson
Cunningham.	of Dimmit.
Dale.	Johnson of Morris.
Daniel.	Justiss.
DeWolfe.	Kayton.
Duvall.	Kennedy.
Farmer.	Laird.
Farrar.	Lasseter.
Fisher.	Lilley.
Forbes.	Lockhart.

McGill.	Savage.
Magee.	Scott.
Metcalfe.	Sherrill.
Moffett.	Sparkman.
Moore.	Stephens.
Munson.	Stevenson.
Olsen.	Strong.
O'Quinn.	Tarwater.
Patterson.	Terrell
Petsch.	of Cherokee.
Ratliff.	Towery.
Reader.	Vaughan.
Richardson.	Wagstaff.
Rogers.	Wiggs.
Rountree.	Young.

## Nays—26.

Beck.	Leonard.
Bounds.	Long.
Carpenter.	McCombs.
Dowell.	McDougald.
Elliott.	McGregor.
Engelhard.	Mathis.
Ferguson.	Ramsey.
Giles.	Ray.
Hatchitt.	Smith of Bastrop.
Herzik.	Steward.
Jones of Shelby.	Van Zandt.
Keller.	Walker.
Lee.	Weinert.

## Absent.

Adams of Harris.	Lemens.
Bedford.	Martin.
Bradley.	Mehl.
Davis.	Nicholson.
Dodd.	Sanders.
Donnell.	Satterwhite.
Finn.	Smith of Wood.
Gilbert.	Sullivan.
Harrison	Terrell
of El Paso.	of Val Verde.
Hefley.	Turner.
Holder.	Warwick.
Holland.	West of Cameron.
Hubbard.	Westbrook.
Jackson.	

## Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Shelton.
Dunlap.	Veatch.
Dwyer.	West of Coryell.
Jones of Atascosa.	Wyatt.
Morse.	

## HOUSE BILL NO. 124 ON SECOND READING.

(By Unanimous Consent.)

On motion of Mr. Wiggs, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 124, A bill to be entitled "An Act to confirm and validate the sale by the State, acting through the Board of Regents of the University of Texas of certain University lands situated in Lamar county, Texas, reserving to the State the minerals in said lands, and creating an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 124 by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. That, subject to the mineral reservation set out in Section 2 of this act, all sales of land heretofore made by the Board of Regents of the University of Texas under Chapter 18, General Laws, Regular Session, Twenty-fourth Legislature, carried as Articles 4263a, 4263b and 4263c, Revised Civil Statutes of 1895, as Articles 2633 and 2635, Revised Civil Statutes of 1911, and as Articles 2596 and 2598 of the Revised Civil Statutes of 1925, be, and the same are, in all things ratified, confirmed and validated; and upon the payment for any such lands as provided in the contracts of sale so made by the Board of Regents, and the payment of patent and other lawful fees and charges, the Commissioner of the General Land Office is authorized and directed to issue patents to such lands in the manner and form as in other cases provided by general law for the issuance of patents to land sold by the State."

On motion of Mr. Wiggs, the amendment was tabled.

House bill No. 124 was then passed to engrossment.

## HOUSE BILL NO. 124 ON THIRD READING.

Mr. Wiggs moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Adams of Harris.	Akin.
Adams of Jasper.	Alsup.
Adamson.	Baker.
Adkins.	Barron.



Bedford.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Morris.
Bradley.	Jones of Shelby.
Brice.	Kayton.
Brooks.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Lasseter.
Carpenter.	Lee.
Claunch.	Lemens.
Cox of Lamar.	Leonard.
Cunningham.	Lilley.
Dale.	Lockhart.
Davis.	Long.
DeWolfe.	McDougald.
Donnell.	McGill.
Dowell.	Magee.
Elliott.	Moffett.
Engelhard.	Moore.
Farmer.	Munson.
Farrar.	Petsch.
Ferguson.	Ratliff.
Fisher.	Ray.
Forbes.	Richardson.
Ford.	Rogers.
Fuchs.	Rountree.
Gilbert.	Sanders.
Giles.	Satterwhite.
Goodman.	Savage.
Graves.	Scott.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Sparkman.
Hardy.	Stephens.
Harman.	Steward.
Harrison	Strong.
of El Paso.	Sullivant.
Harrison	Tarwater.
of Waller.	Terrell
Hefley.	of Cherokee.
Herzik.	Terrell
Hill.	of Val Verde.
Hines.	Towery.
Holder.	Turner.
Holloway.	Van Zandt.
Hoskins.	Vaughan.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Warwick.
Jackson.	Weinert.
Johnson	West of Cameron.
of Dallam.	Wiggs.
	Young.

Nays—2.

Beck. McCombs.

Present—Not Voting.

Cox of Limestone.

Absent.

Burns	Coombes.
of McCulloch.	Daniel.
Caven.	Dodd.
Coltrin.	Duvall.

Finn.	Metcalle.
Hatchitt.	Nicholson.
Holland.	Olsen.
Justiss.	O'Quinn.
Keller.	Patterson.
McGregor.	Ramsey.
Martin.	Smith of Wood.
Mathis.	Stevenson.
Mehl.	Westbrook.

Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

The Speaker then laid House bill No. 124 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Adams of Harris.	Grogan.
Adams of Jasper.	Hanson.
Adamson.	Hardy.
Adkins.	Harman.
Akin.	Harrison
Alsup.	of Waller.
Baker.	Hatchitt.
Barron.	Hefley.
Bedford.	Herzik.
Bond.	Hill.
Bounds.	Hines.
Bradley.	Holder.
Brice.	Holloway.
Brooks.	Hoskins.
Bryant.	Howsley.
Burns of Walker.	Hughes.
Carpenter.	Jackson.
Claunch.	Johnson
Cox of Lamar.	of Dallam.
Cunningham.	Johnson
Dale.	of Dimmit.
Davis.	Johnson of Morris.
DeWolfe.	Jones of Shelby.
Donnell.	Kayton.
Dowell.	Keller.
Elliott.	Laird.
Engelhard.	Lasseter.
Farmer.	Lee.
Farrar.	Lemens.
Ferguson.	Leonard.
Fisher.	Lilley.
Forbes.	Lockhart.
Ford.	Long.
Fuchs.	McDougald.
Gilbert.	McGill.
Giles.	McGregor.
Goodman.	Magee.
Graves.	Moffett.
Greathouse.	Moore.

Munson.	Tarwater.
Ratliff.	Terrell
Ray.	of Cherokee.
Richardson.	Terrell
Rogers.	of Val Verde.
Rountree.	Towery.
Sanders.	Turner.
Satterwhite.	Van Zandt.
Savage.	Vaughan.
Scott.	Wagstaff.
Sherrill.	Walker.
Smith of Bastrop.	Warwick.
Sparkman.	Weinert.
Stephens.	West of Cameron.
Steward.	Wiggs.
Strong.	Young.
Sullivant.	

Nays—1.

McCombs.

Present—Not Voting.

Cox of Limestone.

Absent.

Beck.	Kennedy.
Burns	Martin.
of McCulloch.	Mathis.
Caven.	Mehl.
Coltrin.	Metcalf.
Coombes.	Nicholson.
Daniel.	Olsen.
Dodd.	O'Quinn.
Duval	Patterson.
Finn.	Petsch.
Harrison	Ramsey.
of El Paso.	Smith of Wood.
Holland.	Stevenson.
Hubbard.	Westbrook.
Justiss.	

Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

#### ADDRESS BY MR. J. D. HENDERSON.

Speaker Minor introduced Mr. J. D. Henderson of Munday, Texas, president of the Farmers Union of Texas, to the House.

Mr. Henderson then, on invitation of the Speaker, addressed the House.

#### REQUEST OF THE SENATE GRANTED.

On motion of Mr. Keller, the House granted the request of the Senate for the appointment of a free conference committee on Senate bill No. 13.

#### HOUSE BILL NO. 703, WITH SENATE AMENDMENTS.

Mr. Young called up from Speaker's table, with Senate amendments, for consideration of the amendments, H. B. No. 703, A bill to be entitled "An Act authorizing school trustees to issue interest-bearing warrants in payment of salaries of employes for the year 1930-1931; specifying the rate of interest at 8 per cent; limiting the amount of warrants to be issued; giving such warrants preference over warrants issued for purposes other than payment of salaries, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Young moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Young, Gilbert, Hubbard, Satterwhite and Scott.

#### HOUSE BILL NO. 228 ON FINAL PASSAGE.

The Speaker laid before the House, as postponed business, for consideration at this time, House bill No. 228, relative to the collection of certain delinquent taxes.

The bill having heretofore been read third time.

On motion of Mr. Towery, the bill was laid on the table subject to call.

#### HOUSE BILL NO. 264 ON SECOND READING.

On motion of Mr. Terrell of Cherokee (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 264, A bill to be entitled "An Act to prohibit the passage of any local or special law applying to one county by reference to population, scholastic population or taxable value, without naming the county referred to; requiring notice to be given by publication in the county to be affected, stating the purposes of the act, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Terrell of Cherokee offered the following amendment to the bill:

Amend House bill No. 264 by striking out the words "levy taxes" wherever they occur in Sections 2 and 3, page 1, and insert in lieu thereof the words "increase appropriations from the county revenues."

The amendment was adopted.

House bill No. 264 was then passed to engrossment by the following vote:

Yeas—54.

Adams of Jasper.	Jones of Shelby.
Adamson.	Kayton.
Akin.	Keller.
Alsup.	Kennedy.
Baker.	Lee.
Bounds.	Leonard.
Brooks.	Lockhart.
Bryant.	Magee.
Carpenter.	Metcalfe.
Coombes.	Ratliff.
Cunningham.	Richardson.
Daniel.	Rogers.
Donnell.	Rountree.
Dowell.	Satterwhite.
Duvall.	Savage.
Engelhard.	Sherrill.
Farmer.	Smith of Bastrop.
Forbes.	Smith of Wood.
Fuchs.	Strong.
Giles.	Tarwater.
Goodman.	Terrell
Graves.	of Cherokee.
Hanson.	Terrell
Harrison	of Val Verde.
of El Paso.	Towery.
Hatchitt.	Warwick.
Herzik.	Weinert.
Johnson	Wiggs.
of Dallam.	Young.

Nays—52.

Adkins.	Grogan.
Beck.	Harman.
Bedford.	Harrison
Bond.	of Waller.
Brice.	Hefley.
Burns	Hill.
of McCulloch.	Hines.
Burns of Walker.	Holder.
Caven.	Holland.
Claunch.	Holloway.
Cox of Lamar.	Howsley.
Cox of Limestone.	Jackson.
Dale.	Johnson of Morris.
Davis.	Lasseter.
Elliott.	Lilley.
Farrar.	Long.
Finn.	McCombs.
Fisher.	McDougald.
Ford.	McGregor.
Gilbert.	Mathis.
Greathouse.	Moffett.

Moore.	Turner.
Munson.	Van Zandt.
Sparkman.	Vaughan.
Stephens.	Wagstaff.
Steward.	Walker.
Sullivant.	West of Cameron.

Absent.

Adams of Harris.	Lemens.
Barron.	McGill.
Bradley.	Martin.
Coltrin.	Mehl.
DeWolfe.	Nicholson.
Dodd.	Olsen.
Ferguson.	O'Quinn.
Hardy.	Patterson.
Hoskins.	Petsch.
Hubbard.	Ramsey.
Hughes.	Ray.
Johnson	Sanders.
of Dimmit.	Scott.
Justiss.	Stevenson.
Laird.	Westbrook.

Absent—Excused.

Albritton.	Murphy.
Anderson.	Pope.
Boyd.	Reader.
Dunlap.	Shelton.
Dwyer.	Veatch.
Jones of Atascosa.	West of Coryell.
Morse.	Wyatt.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 70, to the Committee on Public Lands and Buildings.

Senate bill No. 89, to the Committee on Counties.

Senate bill No. 138, to the Committee on Criminal Jurisprudence.

Senate bill No. 252, to the Committee on Highways and Motor Traffic.

Senate bill No. 509, to the Committee on Appropriations.

Senate bill No. 372, to the Committee on Insurance.

Senate bill No. 500, to the Committee on Game and Fisheries.

#### ADJOURNMENT.

On motion of Mr. Warwick, the House, at 4:00 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Judiciary: House bill No. 472.

Public Health: House bill No. 96.

Common Carriers: House bill No. 630.

Constitutional Amendments: House joint resolution No. 31.

Banks and Banking: House bills Nos. 636, 637, 638, 639, 640, 641, 642, 643, 644, 645 and 646.

The following committees have filed adverse reports on bills and resolutions, as follows:

Constitutional Amendments: House joint resolutions Nos. 28 and 29.

Judiciary: House bills Nos. 147, 591 and 649.

The following committees have filed adverse reports with minority favorable reports on bills, as follows:

Constitutional Amendments: House joint resolution No. 3.

Banks and Banking: House bill No. 655.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 756, A bill to be entitled "An Act providing for the election of a district attorney in the Eighteenth Judicial District of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, March 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 750, A bill to be entitled

"An Act amending Section or Subdivision 12 of Article 199 of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Twelfth Judicial District of Texas; and changing the length of the terms of the district courts of certain of the counties in said judicial district, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, March 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 660, A bill to be entitled "An Act to validate the incorporation of the city of Groveton, and to declare valid all acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and aldermen sitting as a city council since the incorporation of said city of Groveton, and to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of said city of Groveton not in excess of the limit provided by law, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, March 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 35, A bill to be entitled "An Act to amend Article 2185 of the Revised Statutes, relating to the requisites of the charge of the court to the jury, and to repeal all laws and parts of laws in conflict with this act, and in declaring an emergency, and providing that this act shall take effect and be in force from and after its passage,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.